

	INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL	
	Chapter 12: Enforcement	Effective Date: 12/08/2012
	Section 5.3: Passport Denial and Reinstatement	Version: 1 Revision Date: 12/08/2012

BACKGROUND

ISETS sends OCSE a weekly tax offset file which includes record of NCPs with arrears exceeding a total of \$2,500.00 on all of his/her cases. If the beginning or ending of the month is on a weekend, the file is not sent that week.

OCSE automatically forwards this list to the U.S. Department of State for passport denial, revocation, or limitations, unless a STOP has been put on the enforcement screen for passport denial. The U.S. Department of State will not accept the record if a NCP's date of birth or place of birth listed with the Social Security Administration is invalid or the current or previously submitted name and Social Security Number do not verify or match at the Social Security Administration. If a record is rejected, OCSE sends a warning code to the state notifying that the record was rejected. The record is maintained and updated at OCSE and remains eligible for other enforcement measures. The state can update the record without having to recertify it. A NCP is automatically removed from passport denial when the balance is \$0. A NCP's passport denial is not automatically removed when arrears balance goes below \$2,500.00.

If a U.S. citizen finds that his/her passport has been denied or revoked while that citizen is outside the country, the citizen may contact the U.S. Embassy or Consulate for a limited validity passport. A limited validity passport may be issued for direct and immediate return only to the U.S. The length of time of validity is determined by the U.S. Embassy or Consulate officer. U.S. citizens are entitled to return even if they cannot make payment arrangements on the child support debt.

POLICY

Any individual with a child support arrearage of \$2,500.00 or more will be submitted for passport denial. Once denied the passport may be reinstated pursuant to the guidelines outlined below.

REFERENCES

- [42 U.S.C. § 652\(k\)](#): Denial of Passports for Nonpayment of Child Support
- [OCSE AT-10-04](#): Collection and Enforcement of Past-Due Child Support Obligations through the Federal Income Tax Refund Offset, Administrative Offset, Passport Denial, Multistate Financial Institution Data Match, and Federal Insurance Match Programs

PROCEDURE

A county has two options on how to reinstate a passport. First, the county may enter a STOP on the enforcement screen for passport denial. This will be transmitted to OCSE in the weekly file. If the county wants reinstatement faster than weekly file submission, the county should enter the STOP and send a request to CEU using the [CEU Passport Reinstatement Form](#). CEU notifies OCSE and OCSE forwards the request to the U.S. Department of State within 24 hours.

If the NCP has cases in multiple Indiana counties or in multiple states, the NCP must go through the reinstatement process with each of these jurisdictions.

1. Erroneous Submission

If a person has been submitted erroneously for passport denial (i.e., wrong person submitted or arrears do not qualify), the county is to immediately request CEU reinstate the passport following the procedure above. If the NCP has received a Passport Application Denial Letter from the U.S. Department of State, the NCP must provide the county with a copy of that letter. The county must send the letter to CEU with the [CEU Passport Reinstatement Form](#).

2. Passport Needed for Military Duty

The NCP must provide proof of deployment or other military need for passport. The NCP must have an actual duty related reason to need a passport. Proof of active duty alone is not sufficient. No payment arrangements are necessary. An IWO should be sent to DFAS.

3. Passport Needed for Family Emergency (Life or Death Situations)

Per federal guidance, a life or death situation is defined as the imminent death, funeral, serious illness, or dangerous operation of an immediate family member. An immediate family member is defined as a parent, guardian, grandparent, sibling, aunt, uncle, step-child, step-parent, step-sibling, or spouse. Immediate family may also include these same relations to NCP's spouse if NCP is needed to travel with his/her spouse.

The NCP must provide verification of the need to travel for a life or death family emergency. Federal guidance states examples of acceptable verification are a letter from the doctor, death certificate, or documentation from the funeral home. It is very important that the NCP provide at least one of these verification documents to the county as the county must also submit this verification to CEU for the passport to be reinstated. OCSE requires verification of a life or death certification be submitted in order to expedite passport reinstatement.

If the NCP is complying with the current order to pay on current support and arrears, no additional payment plan is necessary. Passport may be released by contacting CEU and providing the necessary documentation.

If the NCP is not complying with the current order to pay, the NCP will be required to sign an Agreed Entry to appear in court on a specified day for the purpose of establishing the arrears and obtaining an order to pay on the arrears. After the Agreed Entry has been signed by the NCP, the county may then contact CEU and provide the necessary documentation for passport reinstatement.

4. Passport Needed for Work

The NCP must provide proof of employment and the need to travel. If the arrears are \$5,000.00 or less, the full amount of the arrears is required to be paid. If the arrears are greater than \$5,000.00, then the required payment is \$5,000.00 plus 10% of the remaining arrears. For example, if the arrears are \$7,000.00, the payment would be \$5,200.00 (\$5,000.00 plus 10% of \$2,000.00). In addition to the lump sum payment, the NCP must establish a payment plan with the Title IV-D Prosecutor's Office to pay the arrears, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5. The following chart should be used as a guideline on the amount to be paid toward the remaining arrears.

Arrearage	Payment Toward Remaining Arrears Each Week
\$2,499.99 and below	\$25.00
\$2,500.00 - \$5,000.00	\$50.00
\$5,000.01 - \$10,000.00	\$60.00
\$10,000.01 - and above	\$70.00

5. Passport Needed for Leisure or Vacation Travel

If the NCP is requesting the passport be reinstated for leisure or vacation travel, the NCP is required to pay the arrears in full, at which time the passport will be automatically reinstated when the weekly file is submitted to OCSE showing no arrears.

FORMS AND TOOLS

1. [CEU Passport Reinstatement Form](#)
2. [Passport Payment Plan Template](#)

FREQUENTLY ASKED QUESTIONS

1. Q: How can I check the status of a passport reinstatement?

A: This information can be accessed through the State Services Portal on the CSR.

After logging in, click on Federal Collections and Enforcement on the left side of the screen. On the next screen, click on Case Query which is also on the left side. You can see the status of the reinstatement in two places. First is under the heading

Case Information. If PAS is entered next to Exclusions, then the person has been excluded from passport denial, i.e. a STOP was placed on the enforcement screen. The other place to look on this screen is under the heading DoS Information. Withdrawal Date is the date that OCSE deleted the person from OCSE's passport denial file that is sent to the U.S. Department of State. For more information on navigating these screens in the State Services Portal, see the [Using Federal Collection and Enforcement Desktop Guide](#).

2. Q: If NCP has been denied a passport erroneously, does NCP need to provide any documents to the county to have his/her passport reinstated?

A: If NCP has received a Passport Application Denial Letter from the U.S. Department of State, the NCP must provide a copy of the letter. The county must send a copy of that letter to CEU when requesting the passport be reinstated.

3. Q: What additional steps are needed if the passport is needed for family emergency?

A: The NCP must provide to the county verification of the need to travel, such as a letter from the doctor, death certificate, or documentation from the funeral home. The county must also submit this verification to CEU for the passport to be reinstated. OCSE requires verification of a life or death certification be submitted in order to expedite passport reinstatement.

RELATED INFORMATION

[Federal Offset Program User Guide](#) (see Chapter 5, Passport Denial Process, pages 5-1 through 5-6)

REVISION HISTORY

Version	Date	Description of Revision
Version 1	12/08/2012	Final Approved Version
	12/10/2019	Changed Section number